

Message Text

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PAGE 01 TOKYO 06427 021021Z

ACTION EB-07

INFO OCT-01 EA-09 ISO-00 AGRE-00 CIAE-00 COME-00
INR-07 LAB-04 NSAE-00 EPG-02 SP-02 STR-04 TRSE-00
FRB-01 OMB-01 /038 W
-----021025Z 091682 /21

R 020947Z MAY 77

FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 7411

UNCLAS TOKYO 6427

DEPT PASS AGRICULTURE FOR ADMR HUME, FAS

E.O. 11652: N/A

TAGS: EGAR

SUBJECT: OPP/FUNGICIDE

REF: A. TOKYO 6305; B. TOKYO 5944

1. AGATT REPS MET WITH MINISTRY OF HEALTH & WELFARE (MHW)
OFFICIALS TODAY FOR FURTHER DETAILS ON OPP USAGE AND LABELING.

2. CONFIRMED THAT ON APRIL 30 ANNOUNCEMENT WAS MADE IN
GOVERNMENT GAZETTE NO.15090 (P15) "ORTHOPHENYLPHENOL AND ITS
SODIUM SALT" HAS BEEN ADDED TO LIST OF ACCEPTED FOOD ADDITIVES.
ALSO THAT THIS ORDINANCE IS EFFECTIVE ON SAME DATE.

3. OTHER PROVISIONS PUBLISHED IN GAZETTE REQUIRE THAT A) SOPP
OR OPP MUST NOT BE USED FOR FOOD OTHER THAN CITRUS FRUIT.
B) OPP RESIDUE NOT EXCEED 0.01 (ONE-ONE HUNDREDTH) GRAM PER
1 (ONE) KILOGRAM OF CITRUS FRUIT.

4. MHW ON APRIL 30 ALSO ISSUED "NOTIFICATION OF "ADMINISTRATIVE
GUIDANCE" ORALLY (WRITTEN NOTICE TO BE MAILED MAY 2) TO VIRTUALLY
ALL LOCAL/PREFECTURAL GOVERNMENTS RE THE FOLLOWING POINTS:
A) CARTON LABELING: "EXACTLY THE SAME LABELING AS FOR BIPHENYL
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PAGE 02 TOKYO 06427 021021Z

SHOULD BE MADE ON ALL CARTON BOXES THE MOMENT THEY ARE DELIVERED
TO COMMERCIAL DEPOTS/MARKETS OUT OF BOND WAREHOUSES" (MHW SAID
IT WOULD BE IMPOSSIBLE TO GRANT ANY GRACE PERIOD ON THIS REQUIREMENT.
THEY ALSO SUGGESTED THE JAPANESE TRANSLATION OF "BI-OR DIPHENYL AND
ORTHOPHENYLPHENOL IS USED" WOULD BE ACCEPTABLE. WE WILL FOR-
WARD PROPER STATEMENT IN JAPANESE BY AIRCOMM AS SOON AS AVAILABLE
B) RETAIL LABELING: "ALL FRUIT RETAILERS SHALL BE ASKED

TO LABEL ON/BESIDE/NEAR RETAIL OUTLETS, DISPLAYS, ETC SUCH THAT CONSUMERS CAN RECOGNIZE FRUIT IS TREATED WITH OPP/SOPP USING BRIEF, EASY-TO-UNDERSTAND JAPANESE.

EG "THIS GRAPEFRUIT IS TREATED WITH OPP" (MHW OFFICIALS FURZV EXPLAINED TO US THAT THIS COULD BE INTERPRETED TO MEAN, IN THE CASE OF INDIVIDUALLY WRAPPED FRUIT, INDIVIDUAL LABELS ON FRUIT; OR ALTERNATIVELY, LABELS NEXT TO PRICE MARKERS, OR LABELS NEXT TO SIGN INDICATING TYPE OF FRUIT.) AGATT REP STRONGLY PROTESTED THAT CONSUMER-LEVEL LABELING REQUIREMENT DISCRIMINATORY AND UNFAIR. ARGUED THAT OF 334 FOOD ADDITIVES NOW ON APPROVED LIST ONLY ONE, SACCHARIN, WAS REQUIRED BY "ADMINN GUIDANCE" TO BE INDICATED ON LABEL FOR NON-PACKAGED FOOD. ON OTHER HAND INTERNAL'S LAND JAPAN RESEARCH HAS CLEARLY DEMONSTRATED OPP SAFE SO WHY THE REQUIREMENT? ALSO VERY DISAPPOINTING SINCE MHW LED US TO BELIEVE ON PREVIOUS OCCASION THAT CONSUMER LABELING WOULDN'T BE REQUIRED (SEE TOKYO 5944). MHW RECOGNIZED PROBLEM, BUT REBUTTED THAT IT WAS COMPELLED TO ISSUE SUCH GUIDANCE DUE TO FSIC RECOMMENDATION CONDITION RE CONSUMER LABELING (SEE ITEM 1 B3 REF B).

5. COMMENT: KEY PENDING QUESTION IS TO WHAT EXTENT "ADMIN GUIDANCE" ON RETAIL LABELING WILL HOLD. DISCUSSION WITH TRADE AND GOVERNMENT SOURCES HERE ELICITED GENERAL CONCLUSION THAT DEGREE OF CONSUMERIST AND/OR PRODUCER MOVEMENT FOR THIS REQUIREMENT WILL BE MAJOR FACTOR IN DETERMING ANSWER. AT WORST, BIG CLAMOR COULD BE RAISED CAUSING DISRUPTMENT OF SHIPMENTS AND POSSIBLY REQUIRING SOME SORT OF COUNTER-ATTACK PUBLICITY BY JAPAN/US TRADE AND/OR U.S. UNCLASSIFIED

UNCLASSIFIED

PAGE 03 TOKYO 06427 021021Z

GOVERNMENT. AT BEST, CONSUMER HECKLING COULD SPUTTER, AND RETAIL STORES (WHO HAVE BEEN SUCCESSFUL IN DODGING SACCHARIN LABELING FOR CERTAIN ITEMS) WOULD TEND TO FORGET ABOUT OPP LABELING.

6. FYI AGATT AND REPS DISCUSSED SITUATION WITH VAN HORN, SUNKIST V.P. AND MILLER, SENIOR MANAGING SUNKIST PACIFIC AND OTHERS. THEY OBVIOUSLY VERY UPSET OVER CONSUMER LABELING REQUIREMENT AND WILL MAKE VIEWS KNOWN THRU THEIR HOME OFFICE.

7. WE AWAIT ANY RECOMMENDATIONS BASED ON YOUR CONSULTATION WITH U.S. INDUSTRY BUT CURRENTLY SEE LITTLE OR NO HOPE OF MHW REVERSING DECISION ON RETAIL LABELING.

8. PER REQUEST BY US DEL MTN GENEVA IN UNCLASSIFIED GENEVA 3206, YOU MAY WISH TO FORWARD THIS REPORT TO THEM. SHOESMITH

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NNN

Message Attributes

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Disposition Approved on Date:
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